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4/22/02
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Joseph B. SAINTON et al.
Serial No : 09/392,676
Filed : September 8, 1999
For : APPARATUS AND METHODS FOR
NETWORKING OMNI-MODAL RADIO
DEVICES

Examiner:
L. Kincaid

Art Unit:
2685

RESPONSE UNDER 37 C.F.R. 1.173(b)
INCLUDING SUPPLEMENTAL REISSUE DECLARATION
AND SURRENDER OF USP 5,761,621

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

The following is presented in response to the Office Action of March 12, 2002, in connection with the above-captioned reissue application. The Applicants acknowledge the Examiner's indication that all claims are patentable over the prior art and would be allowed upon submission of a supplemental oath/declaration (USPTO form PTO/SB/51S) and surrender of the original patent.

Pursuant to MPEP Chapter 1442, Chapter 708 and Chapter 2307.02, as well as 37 C.F.R. 1.102(a), it is requested the Examiner treat this application as "special" and take up for immediate action this application in advance of any other application, including "special" applications, except for reissues involved in "litigation", and treat and respond to all issues immediately.

REMARKS

Claims 1-46 are currently pending, and claims 1-46 have been rejected under 35 U.S.C. 251 as being based upon a defective reissue oath/declaration, citing the requirements of 37 C.F.R. 1.175(b)(1).